

An  
Bord  
Pleanála

**Board Direction**  
**BD-015510-24**  
**ABP-316153-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 21/02/2024.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

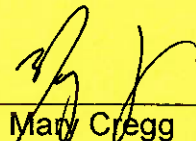
### **Reasons and Considerations**

1. Having regard to the location of the site in an area which is prone to pluvial flooding and on the basis of the submissions made in connection with the planning application and appeal, the Board is not satisfied that the proposed development would not give rise to an increased risk of flooding of the site or of property and public road in the vicinity. It is also considered that the site is not suitable for the disposal of septic tank effluent due to the incidence of pluvial flood risk identified on the appeal lands and the lack of any reasoned assessment of flood risk in the design and siting of the proposed Domestic Wastewater Treatment System. The proposed development would, therefore, be prejudicial to public health and contrary to the proper planning and sustainable development of the area.
2. Having regard to the provisions of the Code of Practice - Waste Water Treatment and Disposal Systems Serving Single Houses (Population Equivalent  $\leq 10$ ), published by Environmental Protection Agency in March 2021, the Board is not satisfied that wastewater generated by the proposed development could be satisfactorily accommodated on site when combined with a well, as the proposed development would not meet the requirements

outlined in Table 6.2: *Minimum separation distances from the entire DWWTS* of the Code of Practice. It is considered that, given the absence of confirmation on file of a public water supply to service the site and notwithstanding the use of a proprietary wastewater treatment system, there is no information to show that a well can be accommodated on site should a public piped water supply be unavailable. The proposed development would conflict with the provisions of the Code of Practice Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ ), Environmental Protection Agency, 2021, and would, therefore, be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

**NOTE:** The Board noted the Inspector's recommended reason for refusal number 3 but given that this was a new issue in the context of the appeal and that there were other substantive reasons for refusal, decided not to pursue this issue in this instance.

Board Member



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Mary Cregg

Date: 22/02/2024